

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

DEFENDERS OF WILDLIFE and
NATIONAL WILDLIFE REFUGE
ASSOCIATION,

Plaintiffs,

v.

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION; FEDERAL
HIGHWAY ADMINISTRATION;
JOHN F. SULLIVAN, III, Division
Administrator, Federal Highway
Administration; and EUGENE A.
CONTI, JR., Secretary, North Carolina
Department of Transportation,

Defendants,

and

CAPE HATTERAS ELECTRIC
MEMBERSHIP CORPORATION,

Intervenor-Defendant.

JUDGMENT

No. 2:11-CV-35-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the motion for summary judgment filed by plaintiffs, Defenders of Wildlife and National Wildlife Refuge Association, and the cross-motions for summary judgment of defendants, North Carolina Department of Transportation, Eugene A. Conti, Jr., Federal Highway Administration, and John F. Sullivan, III.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered September 16, 2013, and for the reasons set forth more specifically therein, that plaintiffs' motion for summary judgment is denied and the defendants' cross-motions for summary judgment are granted.

This Judgment Filed and Entered on September 16, 2013, and Copies To:

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September 16, 2013

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk